

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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BOBBIE JEAN HATHAWAY,)
Plaintiff,)
v.) No. 8:15-cv-00371-FJS
NANCY A. BERRYHILL,¹)
ACTING COMMISSIONER) STIPULATION AND ORDER
OF SOCIAL SECURITY,) FOR PAYMENT OF ATTORNEY'S FEES
Defendant.) PURSUANT TO THE
-----) EQUAL ACCESS TO JUSTICE ACT

IT IS HEREBY STIPULATED AND AGREED, by and between Mark A. Schneider, Esq. (attorney for the Plaintiff) and RICHARD S. HARTUNIAN, United States Attorney, and Emily M. Fishman, Special Assistant United States Attorney (attorneys for Defendant), that Defendant shall pay Plaintiff the sum of **\$15,000.00** in attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 (the "EAJA"). Such award is made in full satisfaction of any and all claims for attorney's fees, costs, and other expenses in connection with this action and in connection with Second Circuit Court of Appeals No. 16-1500cv.

It is further agreed that such fees are payable to Plaintiff, but if Plaintiff does not owe a debt subject to offset under the Treasury Offset Program, payable to Plaintiff's attorney, inasmuch as Plaintiff has agreed to assign her rights to such fees to her attorney.

¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner Carolyn W. Colvin as the defendant in this suit. No further action needs to be

Dated: Syracuse, New York

This 21st day of April, 2017

RICHARD S. HARTUNIAN
United States Attorney
Northern District of New York
Attorney for Defendant

By: /s/ Emily M. Fishman

Emily M. Fishman
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/s/ Mark A. Schneider

Mark A. Schneider
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IT IS SO ORDERED:



Frederick J. Scullin, Jr.
Senior U.S. District Judge

Dated: April 25, 2017

Syracuse, NY

taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).